



Tickets issued over statement

By DIANE KIESEL

News Tribune staff writer

EDISON — Kin-Buc's attorney Benjamin Weiner attempted to prove last night in Municipal Court here that a reference to the township police as "stupid cops who did not know what they were talking about" was the cause behind the issuance of 73 summonses to the Meadow Road landfill last summer.

In the minutes of the June 24 meeting of the Policemen's Benevolent Association Local 75, an attorney for Kin-Buc, not Weiner, is quoted as making the derogatory reference about Edison patrolmen in a newspaper article.

The police officers in attendance subsequently voted not to work for Kin-Buc on a part-time basis as a result of the statement. Weiner, in defending Kin-Buc, maintained that the wave of summonses that began soon after was also directly related to the statement.

An attempt by PBA attorney Robert Blackman to quash the admission of any of the PBA minutes into the record was denied by Municipal Court Judge Paul Anderson. He did, however, after examining the books for about a half-an-hour in chambers, limit the admission of minutes to the June meeting and two others, one held on Aug. 5 and another on Aug. 18.

In more than three-and-a-half hours of testimony last night Edison Patrolmen Anthony Damiano, Lee Carter and William Bunting all testified that their total of 19 summonses issued to Kin-Buc were given on the basis of a "strong and obnoxious odor," which they stated came from the landfill.

Damiano, who lives within a mile of the landfill, said he smelled a "strong odor through the window of his apartment," on the morning of Aug. 15, which prompted him to issue a summons.

He explained to Municipal Prosecutor Martin L. Duyk that he recognized the odor as belonging to Kin-Buc because, he "used to work there... and the smell would stick to your clothes."

Damiano testified that he issued two other summonses, one on the evening of Aug. 21 and another during the late afternoon on Aug. 23.

He also stated that he did not recall whether he was at the PBA meeting at which the vote was taken to stop part-time work at Kin-Buc.

When the prosecution objected to the line of questioning, Anderson over-ruled.

"It seems to me he'd be highly unlikely to be at a meeting," said Anderson.

The PBA minute books indicated he was at the Aug. 18 meeting, in which the earlier PBA action was discussed as well as some PBA members who chose to violate the action.

Damiano said he did not quit working at Kin-Buc because of the PBA action.

He said he left because the odor on his clothing after working there was so strong he had to leave his clothing on the porch. One night, when it was on the porch, he testified, "someone took my jacket."

Ptl. Carter testified that he issued eight summons to Kin-Buc between Aug. 9 and 24.

He stated that while driving up Woodbridge Avenue in Edison while coming to and from work, "the odor was so strong that it made (his) eyes water, nostrils burn and stomach upset."

He said on the stand that he had "followed the smell down Meadow Road," and that it got stronger at the gate of the Kin-Buc landfill.

When asked by Weiner if he reported the odor to the township health officer, Carter replied that he did not.

Weiner also asked Carter about his attendance at the PBA meetings that contained discussion related to Kin-Buc.

Carter, who testified that he had never worked for Kin-Buc, said that he was aware of the PBA meetings at which Kin-Buc was discussed, but since he didn't work there he, "didn't pay much attention."

Ptl. Bunting described the odor as "toxic, with a chemical smell."

He testified that on one occasion he actually saw "greyish, black, smoke, quite thick."

Bunting, who worked one day at Kin-Buc and quit after eight hours, also had to be reminded by the PBA records that he attended the Aug. 18 PBA meeting.

Anderson would not allow Weiner to determine how Bunting voted in regard to a motion to rescind the original order not to work for Kin-Buc. The discussion to rescind took place Aug. 18.

Anderson reserved decision on the matter until another officer, who wrote an estimated 50 summonses against Kin-Buc, issued during the same time period, is heard.

The township's case against Kin-Buc began on Dec. 30 when two Edison policemen testified they issued two summonses against Kin-Buc for garbage odor.

A tentative date for the remainder of the hearing has been set for March 31.

— Mon., Feb. 7, 1977

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Police cite Kin-Buc 'violation'

EDISON — Township police have again cited Kin-Buc for violating local health codes. No summonses have been issued against the Meadow Road landfill, however.

According to a police report, Ptl. William Bunting and James Lee Carter found uncovered and refuse and garbage at Kin-Buc at about 4:45 p.m. yesterday while on patrol.

They have reported the incident to the township health department, which is expected to take action today, according to police.

Both policemen, who together issued 15 summonses against the landfill last summer, testified in municipal court last week that their actions did not constitute "police harassment."

The officers stated that they issued the summonses because of a "strong, obnoxious odor," however, Kin-Buc attorney Benjamin Weiner attempted to prove the two officers as well as one other used "selective prosecution," against the landfill. A total of 73 summonses were issued to Kin-Buc last summer.